



January 23, 2004

SENATE BILL No. 389

DIGEST OF SB 389 (Updated January 21, 2004 12:12 pm - DI 106)

Citations Affected: IC 33-2; IC 33-4.

Synopsis: Tax court. Provides that a senior judge may be appointed to serve the tax court. (The introduced version of this bill was prepared by the commission on courts.)

Effective: July 1, 2004.

Bray

January 12, 2004, read first time and referred to Committee on Judiciary.
January 22, 2004, reported favorably — Do Pass.

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SB 389—LS 6740/DI 105+



January 23, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 389

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 33-2-1-8 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2004]: Sec. 8. (a) The supreme court may
3 appoint a judge who is certified as a senior judge by the judicial
4 nominating commission to serve a circuit court, ~~or~~ a superior court, a
5 **county court, a probate court, the tax court, or the court of appeals**
6 if the court requests the services of a senior judge.
7 (b) The supreme court may adopt rules concerning certification by
8 the judicial nominating commission and appointment by the supreme
9 court of senior judges.
10 SECTION 2. IC 33-4-8-1 IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) A circuit court may apply to
12 the supreme court for the appointment of a senior judge to serve the
13 court.
14 (b) A superior court, a county court, a probate court, **the tax court,**
15 **or the court of appeals** may apply to the supreme court for the
16 appointment of a senior judge to serve the court.
17 (c) The application submitted under this section must include the

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1 following:

2 (1) Reasons for the request.

3 (2) Estimated duration of the need for a senior judge.

4 SECTION 3. IC 33-4-8-2 IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2004]: Sec. 2. Upon approving the request by
6 a circuit court, a superior court, a county court, a probate court, **the tax**
7 **court**, or the court of appeals for a senior judge, the supreme court may
8 appoint a senior judge to serve that court for the duration specified in
9 the application submitted under section 1 of this chapter.

10 SECTION 4. IC 33-4-8-4 IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2004]: Sec. 4. The supreme court may not
12 require a senior judge to accept an assignment to serve a circuit court,
13 a superior court, a county court, a probate court, **the tax court**, or the
14 court of appeals. If a senior judge declines an assignment to serve, the
15 supreme court may offer the senior judge subsequent assignments to
16 serve a circuit court, a superior court, a county court, a probate court,
17 or the court of appeals.

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COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 389, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 389 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 10, Nays 0.

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